

Memorandum



Date: June 7, 2005

Agenda Item No. 5(N)

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George N. Burgess
County Manager

Subject: Resolution Authorizing the Award of Agreements to Operate Micro Loan Program,
Amending the CDBG FY 2002 and 2004 Action Plans, and Authorizing \$274,572 in
CDBG FY 2005 Funding for the Program

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the accompanying Resolution authorizing the County Manager to enter into two (2) agreements to implement the County's Micro Loan Program. In addition, it is recommended that the Board authorize the County Manager to amend the Community Development Block Grant (CDBG) Action Plans for Fiscal Year 2002 and 2004, respectively, to reflect the reallocation of \$325,428 from previous years' Micro Loan funds to fund the FY 2005 Micro Loan Program. It is further recommended that the Board authorize the use of \$274,542 in FY 2005 CDBG funds to complete the funding. It also recommended that the Board authorize the award of the agreements with an effective date of January 1, 2005.

BACKGROUND

In 1999, after a Request For Application (RFA) process, the County awarded Partners for Self-Employment, Inc., d/b/a Micro Business USA a CDBG contract to operate the Micro Loan Program. The Micro Business USA contract was renewed through the end of 2004, when pursuant to the FY 2005 CDBG Action Plan, the County elected to continue the operation of the Micro Loan Program by undertaking a Request For Application (RFA) process since the "renewal" periods under the old agreement with Micro Business USA had been exhausted. During the six (6) year period Micro Business USA has reported 1,093 micro loans, totaling \$1.2 million and resulting in the creation of 200 jobs for low and moderate income residents of Miami-Dade County.

A RFA was issued on January 25, 2005 (please see attached) to select an operator(s) of the County's Micro Loan Program and a total of 30 RFAs were picked up through February 15, 2005 when the application period ended. As part of the RFA process, a Selection Committee was convened to review the five (5) proposals submitted to the County for consideration. The Selection Committee was made up of the following individuals:

Mario Arus	Hialeah Dade Development, Inc.
Rodney Carey	Empowerment Trust
Yasmin Jessa	Mellon Bank
Denise Ramirez	Florida Trust Capital Finance Corp.
Kishore Rao	Urban Task Force
Tangie C. White	OCED (non-voting member)

The members of the Selection Committee met on February 25, 2005 and reviewed the responses pursuant to the requirements of the RFA, a copy of which is attached. Listed below are the five (5) organizations submitting a response and the respective scores of their proposals:

Partners for Self-Employment, Inc. (Micro Business USA)	99.1
Accion USA	93.4
Black Economic Development Coalition (Tools for Change)	79.4
Latin Chamber of Commerce	70.7
North Dade Community Development Federal Credit Union	Non-responsive

The above scores are the average of the points awarded by the Selection Committee. One (1) proposal was incomplete and deemed non-responsive. Two (2) organizations, Partners for Self Employment, Inc. and Accion USA are recommended to receive the award of a contract consistent with our current position of having more than one Micro Loan service provider. Both organizations are ready to implement the program upon Board approval.

Based on the successful track record of Partners for Self-Employment, Inc. in operating the County's Micro Loan Program during the last six (6) years and the high rating that its proposal received from the Selection Committee, \$400,000 is recommended for funding. Accion USA is recommended for a lesser contract of \$200,000 because of the County's limited familiarity with the organization but recognizing its growing presence in the micro lending arena, varied credit facilities it offers to micro businesses and a large network to which the organization belongs.

Funding for the Micro Loan Program is derived from recaptured FY 2002 and FY 2004 CDBG funds (see attached table) and from FY 2005 CDBG funds. A total of \$600,000 in funds is planned for the FY 2005 Micro Loan Program, as reflected below by funding years:

FY 2002	\$173,365
FY 2004	152,063
FY 2005	<u>274,572</u>
Total	\$600,000

The contract to be awarded to Partners for Self Employment, Inc. and Accion USA are for one (1) year, renewable for up to five (5) years on an annual basis. Funding of this activity is made available with an effective date of January 1, 2005.

Attachments


Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: June 7, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 5(N)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(N)
06-07-05

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO EXECUTE TWO (2) AGREEMENTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO IMPLEMENT LOCAL MICRO LOAN PROGRAM; AUTHORIZING THE COUNTY MANAGER TO AMEND THE FY 2002 AND FY 2004 ACTION PLANS, RESPECTIVELY, TO REFLECT THE REALLOCATION OF \$325,428 AS INDICATED IN EXHIBIT I TO FUND THE MICRO LOAN PROGRAM; AUTHORIZING USE OF \$274,572 IN FY 2005 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference ,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the selection of the Partners For Self Employment d/b/a Micro Business USA and Accion USA to operate the County's Micro Loan Program; authorizes the County Manager to amend the FY 2002 and FY 2004 Action Plans, respectively, to reflect the reallocation of \$325,428 of CDBG funds for the Micro Loan Program as indicated in Exhibit I; authorizes the use of \$274,572 in FY 2005 Community Development Block Grant Funds for Micro Loan Program; and authorizes the County Manager to enter into agreements with the organizations on behalf of Miami-Dade County with an effective date of January 1, 2005 and to exercise any cancellation and renewal provisions and any other rights contained therein.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of June, 2005. This Resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. _____

By: _____
Deputy Clerk

Shannon D. Summerset

EXHIBIT I

THE PROPOSED AMENDMENT TO THE FY 2002 AND FY 2004 ACTION PLANS

Federal regulations governing the Community Development Block Grant (CDG) Program/Action Plan require that a participating jurisdiction provide citizens with reasonable notice of, and an opportunity to comment on, any substantial amendments to the Action Plan. Miami-Dade County is proposing to make the amendments indicated below:

SOURCES OF REALLOCATION	AMOUNT	REDISTRIBUTION	ACTIVITY	AMOUNT
FY 2002 Economic Development Division (Office of Community and Economic Development) CD5280950270 (Micro Lending)	\$173,365	Accion USA	Micro Loan Program	\$173,365
FY 2004 Economic Development Division (Office of Community and Economic Development) CD5301070303 (Micro Loan Program)	\$152,063	Partners For Self Employment	Micro Loan Program	\$152,063
TOTAL				\$325,428



**MIAMI-DADE COUNTY
REQUEST FOR APPLICATIONS (RFA) TO SELECT A
PROGRAM OPERATOR (S) FOR A MICROLOAN
PROGRAM**

Attendance at the Pre-Application Workshop is Strongly Recommended

THE PRE-APPLICATION WORKSHOP WILL BE HELD ON FEBRUARY 2, 2005, IN THE OFFICE OF COMMUNITY AND ECONOMIC DEPARTMENT, 140 W. FLAGLER STREET, SUITE 1100, MIAMI, FLORIDA, 11TH FLOOR CONFERENCE ROOM FROM 12:00 NOON TO 2:00 p.m.

Submissions are due at the address shown below no later than February 15, 2005 at 4:00 p.m. NO EXCEPTIONS WILL BE MADE TO THE 4:00 P.M. DEADLINE.

**Miami-Dade County
Clerk of the Board of County Commissioners
Stephen P. Clark Center
111 N.W. First Street
17th Floor – 202
Miami, FL 33128**

The responsibility for submitting a response to this RFA at the Office of the Clerk of the Board of County Commissioners on or before the stated time and date will be solely and strictly the responsibility of the applicant. Miami-Dade County is not responsible for delays caused by the United States Mail delivery or caused by any other occurrence. Applications may not be faxed or e-mailed.

I. General and Program Information

Miami-Dade County, hereinafter referred to as the County, through the Office of Community and Economic Development (OCED) is seeking the services of a qualified not-for-profit corporation to administer a countywide MicroLoan Program. The term of the service contract shall be for one (1) year with an option to renew for four (4) additional years. The County may elect to divide the award and contract with more than one (1) agency for the operation of the program.

The MicroLoan Program will provide credit facilities and technical assistance in the areas of marketing, management, business counseling and business training to its borrowers. The MicroLoan Lender(s) identified through this process will have the sole responsibility for processing the applications, providing technical assistance, making credit decisions, closing and disbursing microloans and servicing the microloan portfolio.

The Office of Community and Economic Development is the County agency charged with the responsibility of administering the County's Community Development Block Grant Funds which will be used in implementing the MicroLoan Program. The Federal funding source for the project requires the operators of the MicroLoan Program to screen the loan applications for CDBG eligibility and to document the public benefits anticipated and actually derived from these economic development projects (each loan is a project) consistent with the requirements of applicable Federal regulation(s). Approximately \$400,000 to \$550,000 in funds anticipated to be made available for the 2005 program year. The funds will be for micro loans and the administration cost of the program. **It is expected that each of the operators of the Program will contribute and bring to the table \$15,000 to establish a loan reserve account.**

Scope of Service

The successful applicant(s) will be charged with the responsibility of operating and administering a microloan program and provide technical assistance to microloan recipients within certain low and moderate income areas. The agencies awarded a contract to operate this program will be responsible for marketing, identifying applicants, developing intake procedures processing clients, making credit decisions, closing and disbursing microloans as well as servicing the microloan portfolio built over time. The agencies will also be responsible for collecting on the loans including foreclosing on defaulted loans.

The selected agencies are expected to create a small committee of individuals with familiarity in lending for approving loans. Staff Members of OCED will be on this committee.

The MicroLoan Program has the following objectives:

- a. Reach out to potential borrowers for the MicroLoan Program. Use community meetings and promotional handouts, which the selected Proposer will make available throughout the community, to promote the Program
- b. Develop handouts and flyers for borrowers and place advertisements and notices in bulletins, newsletters, etc.
- c. Set up the management information systems in the office, such as mailing lists and filing systems.
- d. Interface with the media (radio, television and press) in promoting micro enterprises.
- e. Disburse within 12 months 50 microloans to low-moderate income entrepreneurs in the designated areas.
- f. Develop and maintain a centralized monitoring function where the performance of the program, the characteristics of the borrowers and program progress is tracked systematically.
- g. Screen loan applicants for CDBG eligibility as required by CDBG regulations and guidelines.
- h. Close approved loans pursuant to local, state and Federal requirements.
- i. Monitor loans according to their performance.
- j. Require applicants to attend a minimum of two (2) technical assistance workshops in business development and management.
- k. Service loans, collections, provide technical assistance to applicants, and borrowers and for other related matters.

Program Parameters

The intent of the MicroLoan Program is to provide access to capital to low income individuals, minority entrepreneurs, new or expanding business concerns which need small amounts of financial assistance.

Consequently, the program parameters, while they must be predetermined, need to be flexible and accommodating, if they are to serve the intended population and purpose.

The following characteristics serve as suggested parameters for the MicroLoan Program:

<u>Interest Rates:</u>	Range of 50% - 75% of Prime
<u>Loan Fee:</u>	\$50 - \$100
<u>Maximum MicroLoan:</u>	\$5,000
<u>Maximum Term of Repayment:</u>	2 years
<u>Credit/Collateral Requirement:</u>	To be determined on a case by case basis

Selection Criteria

All applicants will be evaluated in each of the rating categories listed below. If a response does not address a particular rating criteria, it will receive 0 points.

Applicants will not be allowed to amend their response, once it is submitted to the Clerk of the Courts.

Rating Criteria

- 1) Organizations Legal Status (10 points)
- 2) Proposal Program Location, to operate a Countywide program (10 points)
- 3) Organization's Track Record in Micro Lending (10 points)
- 4) Organizational Capacity (10 points)
- 5) Proposal Work Plan, Approach, Technical Assistance Resources (15 points)
- 6) Commitment for Private Sector Contribution for Loan Loss Reserve (15 points)
- 7) Staff Experience and Qualifications (10 points)
- 8) Method of Loan Solicitation Review, Underwriting, Approval and Servicing (10 points)
- 9) Other Resources Contributed to Program (10 points)

Timeline for Request for Application

- | | |
|--------------------------------------|---------------------|
| - RFA Available to Public | January 25, 2005 |
| - Pre-application Workshop | February 2, 2005 |
| - Deadline for RFA Responses | February 15, 2005 |
| - Selection Committee Recommendation | TBD Week of 2/21/05 |
| - BCC Approval | March, 2005 |
| - Microloan Program Start | April, 2005 |

Administration

The Office of Community and Economic Development (OCED) will administer the MicroLoan Program on behalf of Miami-Dade County. OCED will be responsible for overseeing and monitoring the funded programs.

Pre-Application Workshop

OCED will provide a Pre-Application Workshop for all organizations interested in applying on February 2, 2005 at OCED, 140 W. Flagler Street, Suite 1100, 11th Floor Conference Room, from 12:00 Noon to 2:00 p.m.

All applicants are strongly encouraged to attend. After this date, no other communications with County staff relating to this RFA selection process will be allowed.

The contact person for all inquiries is Tangie C. White, Director of the Economic Development Division of OCED, 140 West Flagler Street, Suite 1100, Miami, Florida 33130, (305) 375-4535.

Cone of Silence:

Proposers are hereby advised that this solicitation is subject to the Cone of Silence, in accordance with Ordinance 98-106, as may be amended. From the time of advertising until the County Manager issues a recommendation, there is a prohibition on communication with the County's professional staff. The Ordinance does not apply to oral communications at pre-proposal conferences, oral presentations before selection committees, contract negotiations, public presentations made to the Board of County Commissioners during any duly noticed meeting, communications in writing at any time with any county employee, official or member of the Board of County Commissioners, unless specifically prohibited by applicable RFP or RFA documents. Any questions, explanations or other requests desired by Proposer(s) regarding RFA must be requested to the Contact Person (see previous page). Additionally, a copy of all written communications must be filed with the Clerk of the Board, 111 N.W. 1st Street, 17th floor, Suite 17-202, Miami, Florida, 33128-1083. Among other penalties, violation of these provisions by any particular proposer shall render by RFP/RFA award to such proposer voidable. Proposers should reference the actual ordinance for further clarification.

Terms and Conditions

The duration of the Agreement is 12 months. The contract may be renewed upon the option of the County for four (4) additional one (1) year periods. The County reserves the right to terminate any agreement resulting from this RFA for any reason including non-performance or lack of program deliverables.

Funding

Community Development Block Grant funds approximately between \$400,000 to \$550,000 will be made available through this RFA process.

It is expected that each of the applicants bring commitment of \$15,000 to establish a loan loss reserve account for the program.

Proposal Submission

The content of proposal must include at a minimum:

- 1) Concept Paper
- 2) Scope of Services
- 3) Detailed Budget
- 4) Miami-Dade County Affidavits
- 5) Letters of Commitments
- 6) Documentation of the organization's legal status including a Certificate of Good Standing from the State of Florida
- 7) Copy of most recent audited or reviewed financial statement, if available

Five (5) unbound, one-sided original with complete proposal must be submitted by **February 15, 2005, no later than 4:00 p.m. EST**. No late application will be accepted and no applications may be submitted to any other office or department other than the Clerk of the Board at the address indicated on the front page of this RFA and below.

The original and all copies of the application must be submitted in a sealed envelope stating on the outside of the envelope: the applicant's name, address, telephone number, the due date of February 15, 2005, and the application titled **RFA FOR APPLICATIONS TO SELECT MICROLOAN PROGRAM OPERATOR(S)** to:

(see address on next page)

**Miami-Dade County
Clerk of the Board of County Commissioners
111 N.W. First Street, Suite 17-202, on the 17th Floor
Stephen P. Clark Center, Miami, Florida 33128
THERE ARE NO EXCEPTIONS TO THE DUE DATE AND TIME**

Attachments

This application has the following attachments:

- Miami-Dade County Affidavits
- Model of Scope of Service
- Model of Detailed Budget
- Affidavit of Miami-Dade County Lobbyist Registration For Oral Presentation
- Disability Nondiscrimination Affidavit
- Code of Business Ethics
- Affirmative Action Plan Affidavit and Exemption Form, if applicable
- Miami-Dade County Collection of Taxes, Fees, and Parking Tickets Affidavit and Individuals and Entities Attesting Being Current in their Obligations to Miami-Dade County



AFFIDAVITS

MIAMI-DADE COUNTY AFFIDAVITS

The contracting individual or entity (government or otherwise) shall indicate by an "X" all affidavits that pertain to this contract and shall indicate by an "N/A" all affidavits that do not pertain to this contract. All blank spaces must be filled.

The MIAMI-DADE COUNTY OWNERSHIP DISCLOSURE AFFIDAVIT; MIAMI-DADE COUNTY EMPLOYMENT DISCLOSURE AFFIDAVIT; MIAMI-DADE CRIMINAL RECORD AFFIDAVIT; DISABILITY NON-DISCRIMINATION AFFIDAVIT; and the PROJECT FRESH START AFFIDAVIT shall not pertain to contracts with the United States or any of its departments or agencies thereof, the State or any political subdivision or agency thereof; it shall however, pertain to municipalities of the State of Florida. All other contracting entities or individuals shall read carefully each affidavit to determine whether or not it pertains to this contract.

I, _____, being first duly sworn state:
Affiant

The full legal name and business address of the person(s) or entity contraction or transacting business with Miami-Dade County are (Post Office addresses are not acceptable):

Federal Employer Identification Number (If none, Social Security)

Name of Entity, Individual(s), Partners, or Corporation

Doing Business As (If same as above, leave blank)

Street Address

City

State

Zip Code

I. MIAMI-DADE COUNTY OWNERSHIP DISCLOSURE AFFIDAVIT (Sec. 2-8.1 of the County Code)

1. If the contract or business transaction is with a corporation, the full legal name and business address shall be provided for each officer and director and each stockholder who holds directly or indirectly five percent (5%) or more of the corporation's stock. If the contract or business transaction is with a partnership, the foregoing information shall be provided for each partner. If the contract or business transaction is with a trust, the full legal name and address shall be provided for each trustee and each beneficiary. The foregoing requirements shall not pertain to contracts with publicly-traded corporations or to contracts with the United States or any department or names and addresses are (Post Offices addresses are not acceptable):

Full Legal Name

Address

Ownership

%

%

%

2. The full legal names and business address of any other individual (other than subcontractors, material men, supplies, laborers, or lenders) who have, or will have, any interest (legal, equitable beneficial or otherwise) in the contract or business transaction with Dade County are (Post Office addresses are not acceptable):

3. Any person who willfully fails to disclose the information required herein, or who knowingly discloses false information in this regard, shall be punished by a fine of up to five hundred dollars (\$500.00) or imprisonment in the County jail for up to sixty (60) days or both.

II. MIAMI-DADE COUNTY EMPLOYMENT DISCLOSURE AFFIDAVIT (County Ordinance No. 90-133,

III. Amending Sec. 2.8-1; Subsection (d)(2) of the County Code).

Except where precluded by federal or State laws or regulations, each contract or business transaction or renewal thereof which involves the expenditure of ten thousand dollar (\$10,000) or more shall require the entity contracting or transacting business to disclose the following information. The foregoing disclosure requirements do not apply to contracts with the United States or any department or agency thereof, the State or any political subdivision or agency or any municipality of this State.

1. Does your firm have a collective bargaining agreement with its employees?
_____ Yes _____ No
2. Does your firm provide paid health care benefits for its employees?
_____ Yes _____ No
3. Provide a current breakdown (number of persons) of your firm's work force and ownership as to race, national origin and gender.

White: _____ Males _____ Females	Asian: _____ Males _____ Females
Black: _____ Males _____ Females	American Indian: _____ Males _____ Females
Hispanics: _____ Males _____ Females	Aluet (Eskimo): _____ Males _____ Females
_____ : _____ Males _____ Females	_____ : _____ Males _____ Females

II AFFIRMATIVE ACTION/NON-DISCRIMINATION OF EMPLOYMENT, PROMOTION AND PROCUREMENT PRACTICES (County Ordinances 98-30 codified at 2-8.1.5 of the County Code)

In accordance with County Ordinance No. 98-30, entities with annual gross revenues in excess of \$5,000,000 seeking to contract with the County shall, as condition receiving a County contract, have i) a written affirmative action plan which sets forth the procedures the entity utilizes to assure that it does not discriminate in its employment and promotion practices; and ii) a written procurement policy which sets forth the procedures the entity utilizes to assure that it does not discriminate against minority and women-owned businesses in its own procurement of goods, supplies and services. Such affirmatives action plans and procurement policies shall provide for periodic review to determine their effectiveness in assuring the entity does not discriminate in its employment, promotion and procurement practices. The foregoing notwithstanding, corporate entities whose boards of directors are representatives of the population make-up of the nation shall be presumed to have non-discriminatory employment and procurement policies, and shall not be required to have written affirmative action plans and procurement policies in order to receive a County contract. The foregoing presumption may be rebutted.

The requirements of County Ordinance No. 98-30 may be waived upon the written recommendation of the County Manager that it is in the best interest of the County to do so and upon approval of the Board of County Commissioners by majority vote of the members present.

_____ The firm does not have annual gross revenues in excess of \$5,000,000.

_____ The firm does have annual revenues in excess of \$5,000,000; however, its Board of Directors is representative of the population make-up of the nation and has submitted a written, detailed listing of its Board of Directors, including the race of ethnicity of each board member, to the County's Department of Business Development, 175 NW 1st Avenue, 28th Floor, Miami, Florida 33128.

_____ The firm has annual gross revenues in excess of \$5,000,000 and the firm does have a written affirmative action plan and procurement policy as described above, which includes periodic review to determine effectiveness, and has submitted the plan and policy to the County's Department of Business Development, 175 NW 1st Avenue, 28th Floor, Miami, Florida 33128.

_____ The firm does not have an affirmative action plan and/or a procurement policy as described above, but has been granted a waiver.

_____ IV. MIAMI-DADE COUNTY CRIMINAL RECORD AFFIDAVIT (Section 2-8.6 of the County Code)

The individual or entity entering into a contract or receiving funding from the County _____ has _____ has not of the date of this affidavit been convicted of a felony during the past ten (10) years.

_____ V. MIAMI-DADE EMPLOYMENT DRUG-FREE WORKPLACE AFFIDAVIT (County Ordinance no. 92-15 codified as Section 2-8.1.2 of the County Code)

That in compliance with Ordinance No. 92-15 of the Code of Miami-Dade County, Florida, the above named person or entity is providing a drug-free workplace. A written statement to each employee shall, inform the employee about:

1. Danger of drug abuse in the workplace
2. The firm's policy of maintaining a drug-free environment at all workplaces
3. Availability of drug counseling, rehabilitation and employee assistance programs
4. Penalties that may be imposed upon employees for drug abuse violations

The person or entity shall also require an employee to sign a statement, as a condition of employment that the employee will abide by the terms and notify the employer of any criminal drug conviction occurring no later than five (5) days after receiving notice of such conviction and impose appropriate personnel action against the employee up to and including termination.

Compliance with Ordinance No. 92-15 may be waived if the special characteristics of the product or service offered by the person or entity make it necessary for the operation of the County or for the health, safety, welfare, economic benefits and well-being of the public. Contracts involving funding which is provided in whole or in part by the United States of the State of Florida shall be exempted from the provisions of this ordinance in those instances where those provisions are in conflict with the requirements of those government entities.

_____ VI. MIAMI-DADE EMPLOYMENT FAMILY LEAVE AFFIDAVIT (County Ordinances No. 142-91 codified as Section 11A-29 et. Seq of the County Code)

That in compliance with ordinance No. 142-91 of the Code of Miami-Dade County, Florida, an employer with fifty (50) or more employees working in Dade County for each working day during each of twenty (20) or more calendar workweeks, shall provide the following information in compliance with all items in the aforementioned ordinance:

An employee who has worked for the above firm at least one (1) year shall be entitled to ninety (90) days of family leave during any twenty-four (24) month period, for medical reasons, for the birth or adoption of a child, or for the care of a child, spouse or other close relative who has serious health condition without risk of termination of employer retaliation.

The foregoing requirements shall not pertain to contracts with the United States or any department or agency thereof, or the State of Florida or any political subdivision or agency thereof. It shall, however, pertain to municipalities of this State.

 VII. DISABILITY NON-DISCRIMINATION AFFIDAVIT (County Resolution R385-95)

That the above names firm, corporation or organization is in compliance with the agrees to continue to comply with and assure that any subcontractor, or third party contractor under this project complies with all applicable requirements of the laws listed below including, but not limited to, those provisions pertaining to employment provisions of programs and services, transportation, communications, access to facilities, renovations, and new construction in the following laws: The Americans with Disabilities Act of 1990 (ADA), Pub. L. 101-336, 104 Stat 327.42 U.S.C. 12101-12213 and 47 U.S.C. Section 1612; The Fair Housing Act as amended, 42 U.S.C. Section 3601-3631. The foregoing requirements shall not pertain to contracts with the United States or any department or agency thereof, the State or any political subdivision or agency thereof or any municipality of this State.

 IX. CURRENT OR ALL COUNTY CONTRACTS, LOANS AND OTHER OBLIGATIONS

The individual entity seeking to transact business with the County is current in all its obligations to the County and is not otherwise in default or any contract, promissory note or other loan documents with the County or any of its agencies or instrumentalities.

 X. PROJECT FRESH START (Resolution R-702-98 and 358-99)

Any firm that has a contract with the County that results in actual payment of \$500,000 or more shall contribute to Project Fresh Start, the County's Welfare to Work Initiative. However, if five percent (5%) of the firm's work force consists of individuals who reside in Miami-Dade County and who have lost or will lose cash assistance benefits (formerly Aid to Families with dependent Children) as a result of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the firm may request waiver from the requirement of R-702098 and R-358-99 by submitting a waiver request affidavit. The foregoing requirement does not pertain to government entities, not for profit organizations or recipients of grant awards.

 XI. DOMESTIC VIOLENCE LEAVE (Resolution 185-00; 99-5 Codified at 11A-60 Et. Seq. of the Miami-Dade County Code).

The firm desiring to do business with the County is in compliance with Domestic Leave Ordinance, Ordinance 99-5, codified at 11A-60 et. Seq. of the Miami-Dade County Code, which requires an employer which has in the regular course of business fifty (50) or more employees working in Miami-Dade County for each working day during each of twenty (20) or more calendar work weeks in the current or proceeding calendar years, to provide Domestic Violence Leave to its employees.

I have carefully read this entire five (5) page document entitled *Miami-Dade County Affidavits* and have indicated by an "X" all affidavits that pertain to his contract and have indicated by an "N/A" all affidavits that do not pertain to this contract.

By: _____
(Signature of Affiant) (Date)

SUBSCRIBED AND SWORN TO (or affirmed) before me this _____ day of _____
20 ____ by _____. He/She is personally known to me or has
presented _____ as identification.
(Type of Identification)

(Signature of Notary)

(Serial Number)

(Print of Stamp of Notary)

(Expiration Date)

Notary Public – State of _____
(State)



SAMPLE ACTION STEP FORM AND BUDGET FORMS

ATTACHMENT "A"									
AGENCY NAME: ECONOMIC INC. ACTIVITY: ECONOMIC DEVELOPMENT ACTIVITY SAMPLE FUNDING SOURCE: CDBG 2005 AMOUNT: (\$400,000 - \$550,000)									
ACCOMPLISHMENT UNITS: 843 TYPE: SMALL BUSINESS									
QUARTER	ACTION STEP CATEGORY	SERVICE FREQUENCY	NUMBER OF CLIENTS	CUMULATIVE QUARTERLY SERVICE UNITS	CUMULATIVE NUMBER OF CLIENTS	CUMULATIVE PROJECTED PAYMENT LEVEL	PERCENTAGE OF COMPLETION	ACTUAL QUARTERLY ACCOMPLISHMENTS CUMULATIVE	REIMBURSEMENTS
1ST	ADVERTISING/MARKETING OF PROGRAM	WEEKLY	147						
	INFORMATION WORKSHOP/PARTICIPATION	WEEKLY	147						
	SELECTION MICRO-ENTERPRISE TRAINING	WEEKLY	147						
	LOAN APPROVALS	MONTHLY	147						
	EXECUTE LOAN / JOB AGREEMENT BUSINESS FOLLOW UP	MONTHLY QUARTERLY	92 37						
				147	147	\$85,652			
2ND	ADVERTISING/MARKETING OF PROGRAM	WEEKLY	293						
	INFORMATION WORKSHOP/PARTICIPATION	WEEKLY	293						
	SELECTION MICRO-ENTERPRISE TRAINING	WEEKLY	293						
	LOAN APPROVALS	MONTHLY	293						
	EXECUTE LOAN / JOB AGREEMENT BUSINESS FOLLOW UP	MONTHLY QUARTERLY	163 73						
				440	440	\$286,957			
3RD	ADVERTISING/MARKETING OF PROGRAM	WEEKLY	110						
	INFORMATION WORKSHOP/PARTICIPATION	WEEKLY	110						
	SELECTION MICRO-ENTERPRISE TRAINING	WEEKLY	110						
	LOAN APPROVALS	MONTHLY	110						
	EXECUTE LOAN / JOB AGREEMENT BUSINESS FOLLOW UP	MONTHLY QUARTERLY	55 37						
				550	550	\$358,695			
4TH	ADVERTISING/MARKETING OF PROGRAM	WEEKLY	293						
	INFORMATION WORKSHOP/PARTICIPATION	WEEKLY	293						
	SELECTION MICRO-ENTERPRISE TRAINING	WEEKLY	293						
	LOAN APPROVALS	MONTHLY	293						
	EXECUTE LOAN / JOB AGREEMENT BUSINESS FOLLOW UP	MONTHLY QUARTERLY	183 73						
				843	843	\$550,000			
(\$400,000 - \$550,000)									

NAME OF AGENCY, INC.
MICROLOAN PROVIDER, INC.

CDBG
FY 2005

SUMMARY BUDGET
JANUARY 1, 2005 - DECEMBER 31, 2005

CATEGORIES	PRIOR YEAR FUNDING	FY 2005 FUNDING	NON-OCED FUNDING	TOTAL
I. PERSONNEL				
II. CONTRACTUAL SERVICES				
III. OPERATING SERVICES				
IV. COMMODITIES				
V. CAPITAL OUTLAY				
TOTAL BUDGET				
SOURCES OF OTHER FUNDING:	TOTAL AMOUNT \$			

AGENCY NAME
CDBG FY 2005
[PROJECT NAME]
DETAILED BUDGET

SAMPLE

January 1, 2005 through December 31, 2005

	PP	Non OCED	OCED	Total OCED	Total All Sources
04010 Personnel – Employee					
Regular Salaries			Bi-Weekly		
Executive Director	26	47,000	0	0	\$38,000.00
Deputy Director	26	38,000	0	0	\$47,000.00
Office Mgr.	26	0	423.08	11,000	\$11,000.00
Receptionist	26	0	400.00	0	\$0.00
Subtotal Salaries		85,000	0	11,000	\$96,000.00
04010 Fringe Benefits					
FICA 11,000 x .0620 = 628 x 100%		0	0	628	\$628.00
MICA 11,000 x .0145 = 160		0	0	160	\$160.00
Subtotal Fringe		0	0	788	\$788.00
Total Personnel		0	0	11,788	\$96,788.00
Contractual Services					
21011 External Audit		0	0	4,000	\$4,000.00
21012 Environmental Audit		0	0	0	\$0.00
21030 Other Professional - Svc. Construction Mgmt.		0	0	30,000	\$30,000.00
21030 Other Professional Svc.		0	0	0	\$0.00
22350 Bottled Water		0	0	0	\$0.00
25330 Rent Copier		0	0	0	\$0.00
25511 Building Rental		0	0	6,000	\$6,000.00
Total Contractual		0	0	40,000	\$40,000.00
Operating Expense					
31011 Telephone Regular		0	0	2,500	\$2,500.00
31011 Telephone Long Distance		0	0	300	\$300.00
31610 Postage		0	0	1,200	\$1,200.00
31420 Advertising Radio		0	0	0	\$0.00
Total Operating Expense		0	0	4,000	\$4,000.00
Commodities					
31510 Outside Printing		0	0	400	\$400.00
95020 Computer Purchase		0	0	0	\$0.00
47010 Office Supplies/ Outside Vendors		0	0	1,200	\$1,200.00
Total Commodities		0	0	1,600	\$1,600.00
Capital Outlay					
61620 Basic Architectural Fees		0	0	0	\$0.00
61620 Prime Contractor		0	0	68,579	\$68,579.00
Total Capital Outlay		0	0	68,579	\$68,579.00
TOTAL BUDGET		85,000	0	125,967	\$210,967.00



**AFFIDAVIT OF MIAMI-DADE
COUNTY LOBBYIST
REGISTRATION FOR ORAL
PRESENTATION**

(1) Project Title: _____ Project No.: _____
 (2) Department: _____
 (3) Firm/Proposer's Name: _____
 Address: _____ Zip: _____
 Business Telephone: (____) _____

TEL. NO.

[illegible]

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AFFIDAVITS OF FINANCIAL AND CONFLICTS OF INTEREST

AFFIDAVIT OF FINANCIAL AND CONFLICTS OF INTEREST

1. Do you have any past due financial obligations with Miami-Dade County?

	YES	NO
Single Family House Loans	_____	_____
Multi-Family Housing Rehab	_____	_____
CDBG Commercial Loan Project	_____	_____
U.S. HUD Section 108 Loan	_____	_____
Other HUD Funded Programs	_____	_____
Other (liens, fines, loans, Occupational licenses, etc.)	_____	_____

If YES, please explain:

2. Do you have any past due financial obligations with Miami-Dade County?

YES _____ NO _____

If YES, please explain:

3. Are you a relative of or do you have any business or financial interests with any elected Miami-Dade County official, Miami-Dade County Employee, or Member of Miami-Dade County's Advisory Boards?

YES _____ NO _____

If YES, please explain:

Any false information provided on this affidavit will be reason for rejection and disqualification of your project-funding request to Miami-Dade County.

The answers to the foregoing questions are correctly stated to the best of my knowledge and belief.

By: _____ (Date)
 (Signature of Applicant)

SUBSCRIBED AND SWORN TO (or affirmed) before me this _____ day of _____ 20____

By _____ He/She is personally known to me or has presented

_____ as identification.
 (Type of Identification)

_____ (Serial Number)
 (Signature of Notary)

_____ (Expiration Date)
 (Print or Stamp of Notary)

Notary Public - Stamp of _____ (State) Notary Seal



RELATED PARTIES DISCLOSURE STATEMENT

SAMPLE

AGENCY NAME

DISCLOSURE ABOUT RELATED PARTIES

(DATE)

THERE ARE NO BOARD MEMBERS OF THE (AGENCY NAME)
WHO HAVE ANY RELATIONSHIP OR HAVE MADE ANY TRANSACTION WITH
OTHER ENTITIES THAT MIGHT RESULT IN A CONFLICT WITH (AGENCY
NAME) OPERATIONS.



STATE OF FLORIDA PUBLIC ENTITY CRIMES AFFIDAVIT

SWORN STATEMENT PURSUANT TO SECTION 287.133 (3) (a)
FLORIDA STATUTES ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS

1. This form statement is submitted to _____

by _____
(Print individual's name and title)

for _____
(Print name of entity submitting sworn statement)

whose business address is _____

and if applicable its Federal Employer Identification Number (FEIN) is _____. If the entity has not FEIN, include the Social Security Number of the individual signing this sworn statement.

2. I understand that a "public entity crime" as defined in paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to an directly related to the transactions of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to any bid or contract for goods or services to be provided to public entity or agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misinterpretation.
3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in an federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.
4. I understand that an "Affiliate" as defined in paragraph 287.133(1)(a), Florida Statutes means:
1. A predecessor or successor of a person convicted of a public entity crime, or
 2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a *pooling* of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.
5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States within the legal power to enter into a binding contract and which bids or applies to bid on contracts for the

provision of goods or entity. The term "person" includes those officers, executives, partners, shareholders, employees, members, and agents who are active in management of an entity

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies.)

_____ Neither the entity submitting sworn statement, nor any of its officers, director, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity, or an affiliate of the entity had been charged with and convicted of a public entity crime subsequent to July 1, 1989, **AND** (please indicate which additional statement applies.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent proceeding before a Hearing Officer of the State of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (attach a copy of the final order).

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND THAT THIS FORM IS VALID THROUGH DECEMBER 31 OR THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THAT PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017 FLORIDA STATUTES FOR A CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

(Signature)

Sworn to and subscribed before me this _____ day of _____, 20____.

Personally known _____

Or produced identification _____ Notary Public-State of _____

(Type of identification)

My commission expires _____

(Printed, typed or stamped commissioned name of notary public)



CODE OF BUSINESS ETHICS AFFIDAVIT

FORM A-12
CODE OF BUSINESS ETHICS

In accordance with Section 2-8.1(i) of the Miami-Dade County Code, each person or entity that seeks to do business with the County shall adopt a Code of Business Ethics ("Code") and shall, prior to execution of any contract between the contractor and the County, submit an affidavit stating that the contractor has adopted a Code that complies with the requirements of Section 2-8.1 (i) of the Miami-Dade County Code. Any person or entity that fails to submit the required affidavit shall be ineligible for contract award. The Code of Business Ethics shall apply to all business that the contractor does with the County and shall, at a minimum, require that the contractor:

- Comply with all applicable governmental rules and regulations including, among others, the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance and the False Claims Ordinance.
- Comply with all applicable rules and regulations regarding Disadvantaged Business Enterprises, Black Business Enterprises, Hispanic Business Enterprises and Women Business Enterprises (hereinafter collectively Minority Business Enterprises, "MBEs") and Community Small Business Enterprises (CSBEs) and shall specifically prohibit the following practices:
 - Pass-through Requirements. The Code shall prohibit pass-throughs whereby the prime firm requires that the MBE or CSBE firm accept payments as a MBE or CSBE and pass through those payments or a portion of those payments to another entity including, but not limited to the owner/operator of the prime firm;
 - Rental Space, Equipment or Flat Overhead Fee Requirements. The Code shall prohibit rental space requirements, equipment requirements, and/or flat overhead fee requirements, whereby the prime firm requires the MBE or CSBE firm to rent space or equipment from the prime firm or charges a flat overhead fee for the use of space, equipment, secretary, etc;
 - Staffing Requirements. The Code shall prohibit the prime firm from mandating, as a condition to inclusion in the project, that a MBE or CSBE hire, fire, or promote certain individuals not employed by the prime firm, or utilize staff employed or previously employed by the prime firm.
 - MBE or CSBE Staff Utilization. The Code shall prohibit the prime firm from requiring the MBE or CSBE firm to provide more staff than is necessary and then utilizing the MBE or CSBE staff for other work to be performed by the prime firm.
 - Fraudulently creating, operating or representing MBE or CSBE. The Code shall prohibit a prime firm including, but not limited to, the owners/operators thereof from fraudulently creating, operating or representing an entity as a MBE or CSBE for purposes of qualifying for certification as a MBE or CSBE.
- The Code shall also require that on any contract where MBE or CSBE participation is purported, the contract shall specify essential terms including, but not limited to; a specific statement regarding the percent of participation planned for MBEs or CSBEs, the timing of payments and when the work is to be performed.

- The failure of a contractor to comply with its Code of Business Ethics shall render any contract between the contractor and the County voidable, and subject violators to debarment from future County work pursuant to Section 10-38(h)(2) of the Code. The Inspector General shall be authorized to investigate any alleged violation by a contractor of its Code of Business Ethics.

By: _____ 20____
Signature of Affiant Date

Printed Name and Title of Affiant Federal Employer Identification Number

Printed Name of Firm

Address of Firm

SUBSCRIBED AND SWORN TO (of affirmed) before me this _____ day of _____, 20____.

He/She is personally known to me or has presented _____ as identification.
Type of Identification

Signature of Notary Serial Number

Print or Stamped Name of Notary Expiration Date

Notary Public, State of _____

**NOTE: YOU MUST USE THE ACTION STEP FORMAT THAT IS DESCRIBED
ON THE FOLLOWING PAGE**

**INSTRUCTIONS FOR PUBLIC SERVICES AND ECONOMIC DEVELOPMENT
ACTION STEP FORMAT**

AGENCY NAME	The legal name of your agency
ACTIVITY	The title of the activity being funded through OCED
FUNDING SOURCE	The OCED funding source (CDBG, HOME, ESG, HATF, HDG)
AMOUNT	Indicate the amount of funding that you are seeking for the activity
ACCOMPLISHMENT UNITS	Indicate the total number of service units that your project will achieve throughout the grant period.
TYPE	Indicate the service unit type – people, elderly, children, etc.
COLUMN I	Indicate the quarter of operation
COLUMN II	Identify in 3-4 words each service that the project will conduct during each quarter.
COLUMN III	Using only one of the following categories – quarterly, monthly, weekly, daily – identify the frequency of the proposed service. <u>If the project will provide a specific service several times within a service interval, then indicate so as part of Column II</u> (eg. For counseling services that will occur twice per week should be stated as “Counseling Services (2) Weekly”).
COLUMN IV	Indicate the number of persons out of the project’s population that will be affected by each action step.
COLUMN V	Indicate on each of the shaded lines for each quarter the total number of service units that the project will accomplish year to date.
COLUMN VI	Indicate on each of the shaded lines for each quarter the total number of clients that the project will serve year to date.
COLUMN VII	Indicate on each of the shaded lines for each quarter the portion of the project’s total allocation that the project will expend year to date.